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09/439,052	11/12/1999	KELVIN RODERICK LAWRENCE	AT9-98-146	1180

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ART UNIT	PAPER NUMBER
2177	

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 2

Application Number: 09/439,052

Filing Date: November 12, 1999

Appellant(s): LAWRENCE ET AL.

Paul D. Heydon
For Appellant

MAILED

EXAMINER'S ANSWER

DEC 03 2002

Technology Center 2100

This is in response to the appeal brief filed 23 August 2002.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

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(7) Grouping of Claims

The rejection of claims 22-24 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) ClaimsAppealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

/ 5,987,457 BALLARD 11-1999

/ 5,886,698 SCIAMMARELLA 3-1999

/ Takano, H and Winograd, T. "Dynamic Bookmarks for the WWW" Computer Science Department, Standford University, 1998, pp. 297-298

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 22-24 are rejected under 35 U.S.C. 103(a). This rejection is set forth in prior Office Action, Paper No. 7

(11) Response to Argument

Appellants argue that the rejection of claims 22-24 is erroneous and that the Examiner did not establish a *prima facie* case of obviousness because the references

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do not teach or suggest all the claimed limitations. In particular, Appellants argue that the references do not describe the following claimed limitations:

“marking URL’s positive or negative regarding whether a user’s needs are met by search results”,

“submitting a bookmark set to a search engine”, and

“repeating (a) to (c) as often as said user desires to refine said search results to a manageable level”

Appellants further submit that URL’s are not mentioned by Ballard and Sciammarella requires the user to enter one or more keywords as input. Additionally, Appellants argue that Takano and Winograd do not describe a positive or negative marking, nor do they describe input regarding whether a user’s needs are met by search results.

In response to the preceding arguments, the Examiner respectfully submits that Ballard’s refinement method requires the user to provide feedback by marking whether the URLs are “of interest” or “not of interest”. Terms such as, of interest or not of interest, relevant or irrelevant, and desirable or not desirable are analogous and usually convey the same meanings as positive or negative. Thus, Ballard’s categorization of the URLs (i.e., documents) by indicating whether a URL is “of interest” or “not of interest” in order to group the search results based on the user’s needs is similar to Appellants’ limitation of marking URL’s positive or negative. Consequently, Ballard’s

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teachings satisfy the claimed limitation of marking URL's positive or negative regarding whether a user's needs are met by search results.

The Examiner further submits that ordinarily a search engine processes any user submitted search request by examining entered keywords. Therefore, the claimed limitation of "submitting a bookmark set to a search engine" should inherently submit the search requests in the bookmark set to the search engine for further processing. Appellants' Specification is silent on how the bookmark set is processed by the search engine. For instance, on page 9, lines 27-30 of the Specification merely discloses the following:

"Subsequently, the bookmark set with rating is resubmitted to the search at 306."

As one skilled in the art would know that search engine does not process a request based on URLs. Clearly, from the foregoing textual portions, such claimed limitation must be implicit from Ballard's teachings.

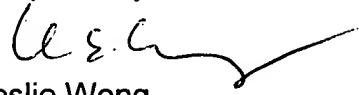
Additionally, the Examiner submits that Ballard inherently teaches the search refining process by allowing the user to indicate that the refined query phrase is ready to be submitted for searching (col. 6, lines 54-60). Hence, this satisfies the limitation of repeating the search refining process until the search results is at a manageable level.

The Examiner also points out that when a user submits a search request via an Internet, a list of search results (i.e., URLs for the matched documents) is returned for review. It is inherent that Internet search results return documents as URLs. For example, Takano and Winograd is a proof of such inherency. Therefore, Ballard's does not have to mention the URLs in particular.

The Examiner finally submits that Ballard either explicitly or implicitly teaches all limitations of the claimed invention. Sciammarella and Takano and Winograd are brought in as further proof or reinforcement of Ballard's inherencies (URL and repeating steps of search refinement).

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,


Leslie Wong
Patent Examiner
Art Unit 2177

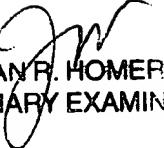
lw
November 29, 2002

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